

RO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Maryland

JUL 07 2014

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

DEPUTY

United States of America)

v.)

Pedro LARA-Portillo)

Case No.

14-1524SAG

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 25, 2014 in the county of Baltimore in the
District of Maryland, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. Section 1325(a)(1)(A)(i);
18 U.S.C. Section 2

Alien smuggling; aiding and abetting

8 U.S.C. Section 1325(a)(1)(A)(iv);

Encouraging and inducing illegal entry of an alien

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date:

July 1, 2014City and state: Baltimore, Maryland

Complainant's signature

Edward J. Kelly, Special Agent, HSI

Printed name and title

Judge's signature

Stephanie A. Gallagher, U.S. Magistrate Judge

Printed name and title

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AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

Edward J. Kelly, having been duly sworn, depose and state as follows:

1. I, EDWARD J. KELLY, am a Special Agent (SA) of the Homeland Security Investigations, Department of Homeland Security. I have been employed by the ICE since 2003 and have been an SA since that time. I have been assigned to the Baltimore Division. I am currently assigned to investigate cases of human trafficking and smuggling.
2. Your affiant knows that, on or about June 4, 2014, HSI Baltimore received information that Baltimore County Police Department had encountered a 16-year-old minor (hereinafter "Minor 1") who reported she has been smuggled into the United States. Initial investigation revealed that Minor 1 was smuggled to the United States from Honduras and that 42-year-old Pedro LARA-Portillo paid all or most of the smuggling fees. Minor 1 also reported that LARA engaged in an inappropriate sexual relationship with Minor 1 while he had guardianship of her in the United States.
3. Minor 1 is a native and citizen of Honduras. Minor 1 advised that LARA communicated with Minor 1's mother in Honduras regarding an arrangement to smuggle Minor 1 into the United States. LARA agreed to provide financial support to smuggle Minor 1 into the United States. LARA wired money to a contact in Mexico, who assisted Minor 1 across the Mexican border. Minor 1 crossed the border on or about March 25, 2014, and was taken into custody as an unaccompanied minor by United States' border patrol agents in the Rio Grande Valley in Texas on March 29, 2014.
4. Minor 1 provided LARA's name and contact information to border patrol agents. LARA communicated with the Office of Refugee Resettlement and/or their representatives, who were responsible for placing Minor 1. In communications with these representatives regarding custody of Minor 1, LARA made a false representation that Minor 1 was to have her own room. Minor 1 reported sharing the bedroom with LARA, a fact which other occupants of the residence confirmed and was consistent with law enforcements observations of the bedroom itself. Minor 1 was released to the care and custody of LARA on or about April 25, 2014.
3. On or about June 5, 2014, SA Edward Kelly, Detective Aaron Maisano and Patrol Officer Jesus Saucedo responded to 15 Lastgate Rd, Owings Mills, MD in an attempt to interview LARA. LARA was not at the residence but his aunt contacted LARA telephonically and LARA agreed to meet with law enforcement nearby to be interviewed. LARA met law enforcement near Richmar Rd and Reisterstown Rd, Owings Mills, MD and was driven to the Baltimore County Franklin Precinct for interview. LARA was not handcuffed, was not in custody and consented to the interview at the police station. LARA's interview was conducted in LARA's native language (Spanish).
4. During that interview, LARA stated that he is a native and citizen of Honduras. LARA was in possession of a Honduran passport and Honduran driver's license at the time of the interview. LARA stated he has been in the United States for approximately seven (7) years and

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is here illegally. LARA admitted in sum and substance that he wired money to Mexico for the purpose of having Minor 1 smuggled to the United States.

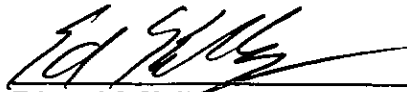
5. A review of law enforcement databases was negative for LARA having made legal entry into the United States, having any immigration status or an application pending for immigration status allowing him to be or remain legally in the United States. A review of the Honduran passport LARA had in his possession was negative for any visa or admission stamps indicating LARA had made legal entry into the United States. LARA was not taken into ICE custody at the time.

6. On or about June 12, 2014, LARA was encountered by Tennessee State Police Trooper Hoppe during a traffic stop. LARA was in possession of one piece of luggage with personal belongings and his Honduran passport. Subsequent interviews indicate LARA was using the alias "Miguel."

7. Therefore, your affiant submits there is probable cause to believe that:

- On or about March 25, 2014, in the District of Maryland, the defendant, **PEDRO LARA PORTILLO**, did knowingly bring to the United States an alien, namely Minor 1, knowing that said person was an alien, at a place other than as designated by the Secretary of Homeland Security; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(i).
- On or about March 25, 2014, in the District of Maryland, the defendant, **PEDRO LARA PORTILLO**, did encourage and induce an alien, namely, Minor 1, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry, and residence in the United States was in violation of law, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv).

8. I affirm under penalty of perjury that the facts and circumstances outlined in this affidavit are true and accurate to the best of my knowledge and belief.


Edward J. Kelly
Special Agent, HSI

Sworn to and subscribed before me on this 18th day of July, 2014.


Stephanie A. Gallagher
United States Magistrate Judge